

# EXHIBIT E

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

JOHN BARNHARDT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
and	)	
	)	
UNITED STATES OF AMERICA,	)	Civil Action No. 1300(E)
	)	
Plaintiff-Intervenor,	)	United States' First Set of
	)	Interrogatories
v,	)	
	)	
MERIDIAN MUNICIPAL SEPARATE	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	
	)	

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Rule 26 of the Local Rules of Civil Procedure, Plaintiff-Intervenor the United States of America hereby requests that Defendant Meridian Municipal Separate School District (the "District") answer the following written interrogatories, separately, fully, and in writing within thirty (30) days of the date of this Notice. The District's answers should include all information known up to the date its responses are served.

PLEASE TAKE FURTHER NOTICE THAT each of these interrogatories and each subpart of each interrogatory should be accorded a separate answer. Interrogatories or subparts thereof should not be combined for the purpose of supplying a common answer. The answer to an interrogatory or a subpart should not be supplied by referring to the answer to another interrogatory or subpart thereof unless the interrogatory or subpart referred to supplies a complete and accurate answer to the interrogatory or subpart being answered.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Federal Rule of Civil Procedure 26(e)(1), the District is under a duty to supplement or amend responses to these discovery requests and to update these responses on a regular basis.

INSTRUCTIONS

(a) Whenever in these interrogatories there is a request to identify a person, set forth:

- (1) his or her full name;
- (2) his or her present or last known home and business address(es) and telephone number(s); and
- (3) his or her present or last known place of employment.

(b) Whenever the information requested is contained in or may otherwise be derived or ascertained from a document:

- (1) identify the document(s) from which the answer may be derived or ascertained; and
- (2) produce the document(s) for inspection and copying or deliver a copy of the document(s) to the undersigned at the time the answers hereto are filed, but nothing herein shall constitute a waiver of the United States' right to call for the production of documents not so identified, produced, or delivered.

(c) Whenever the information requested in these interrogatories is not readily available in the form requested but is available, or more easily can be made available, in a different form, the District may make the information available in such different form so long as the information requested is intelligible.

(d) If the District refuses to respond to any interrogatory or document request, or any subpart thereof, on the ground of privilege, identify:

- (1) the nature of the privilege, including work product;
- (2) if the privilege is being asserted in connection with a claim or defense governed by state law, the state's privilege rule being invoked;
- (3) with respect to each document:
  - a. the type of document,
  - b. the general subject matter of the document,
  - c. the date of the document,
  - d. the author(s) and addressee(s) of the document and the relationship of the author(s) and the addressee(s) to each other, and
  - e. all recipients of the document; and
- (4) with respect to each oral communication:
  - a. the name of the person(s) making the communication,
  - b. the names of all persons present while the communication was made,
  - c. the relationship of the person(s) present to the person(s) making the communication,
  - d. the date and place of the communication, and
  - e. the general subject matter of the communication.

DEFINITIONS

Unless the context clearly indicates otherwise, the following words shall be deemed to mean the following:

1. The term "communication(s)" means any oral or written statement of any nature, including but not limited to correspondence, memoranda, electronic mail, conversations, meetings, conferences, dialogues, discussions, interviews, consultations, agreements, and other interactions between two or more persons or entities.
2. The term "document(s)" shall include, without limitation, the original or a copy (when the original is unavailable) of any material, whether written, recorded, typed, handwritten, printed, transcribed, illustrated, or otherwise produced or reproduced, and whether in draft or final form, of any kind or nature, including but not limited to any correspondence, electronic mail, legal document, media report, photograph, photostat, microfilm, note, memorandum, letter, telegram, telex, circular, release, report, prospectus, memorandum of telephone or in-person conversation(s), financial statement, investigation summary, board minutes, analysis, drawing, graph, chart, account, book, notebook, draft, summary, diary, transcript, computer data base, computer printout or other computer generated matter, contract or order, technical report, laboratory report or notebook, engineering report, mechanical and electronic audio and video recordings or transcripts thereof, and other data compilations from which information can be obtained and translated.
3. The term "policies and procedures" means any written or unwritten policy, procedure, guidance, protocol, directive, mandate, rule, regulation, course of action, rule, strategy, plan, guiding principle, guidelines, program, method, routine, process, modus operandi,

way, technique, practice, system, formula, route, and other modes of conduct that govern operations.

4. The term "provide" means to give, make available, furnish, render, or supply the requested item.

5. The terms "identify," "identification," or "identity" have the following meanings:

a. when used in reference to a natural person, it means to state the person's full name, current residence and business addresses, current residence and business telephone numbers and, if applicable, their title, dates of employment, and job description. If their current addresses are unknown, provide the last known business and residence addresses;

b. when used in reference to a document, it means to state the type of document (e.g., letter, memorandum, telegram, chart, etc.), its author and originator, its date or dates, all addressees and recipients, and its present location or custodian. If any such document was but is no longer in the District's possession or subject to the District's control, state what disposition was made of it;

6. The terms "describe" and "description" mean provide, in detail, all available information about the requested topic, including any relevant dates and identity of all individuals involved.

7. The singular shall be deemed to include the plural, the plural to include the singular, and words in the masculine, feminine, or neuter shall include each of the other genders as necessary to make the interrogatory inclusive rather than exclusive.

8. The present tense includes the past and future tenses. "All" means "any and all"; "any" means "any and all." "Including" means "including but not limited to."

9. The terms "and" as well as "or" shall be construed conjunctively or disjunctively as necessary to make the interrogatory inclusive rather than exclusive.

10. The terms "regarding," "reflecting," "concerning," "pertaining to," and "relating to" mean constituting, about, with regard to, with respect to, relating, concerning, discussing, describing, reflecting, dealing with, in any way pertinent to, or referring in any way to the referenced subject matter.

11. The term "complaint" means a claim, allegation, assertion, grievance or report, whether formally filed or informally communicated in writing or orally.

12. The term "person" means any natural person or individual, or any business, legal or governmental entity or association.

13. The term "law enforcement" means any agency, organization, governmental entity, department, or individual working on behalf of any such body authorized by law to maintain public order, including but not limited to the Meridian Police Department or any other police department, police officer, sheriff's department, or sheriff's officer.

14. The term "the District" refers to the Meridian Municipal Separate School District and its school board, school board members, agents, employees, representatives, officers, or any person acting or purporting to act on its behalf.

#### INTERROGATORIES

1. Provide the total number and percentage of all students – by race, sex, and grade level – enrolled in every school and educational facility operated by the District during the 2008-2009, 2009-2010, and 2010-2011 school years.

2. Provide the total number of students and percentage – by race, school, grade, and sex – suspended in school or out of school, expelled, or placed in an alternative school

or alternative education program for misbehavior during the 2008-2009, 2009-2010, and 2010-2011 school years. Include for each such student the student's grade level; the infraction or offense for which the student was disciplined; the disciplinary disposition or consequence imposed by the District; the date the infraction or offense was committed; the name, race, and title of the District employee who initiated the disciplinary process; the name, race, and title of all District employees involved in the disciplinary process; the date the disciplinary disposition or consequence was imposed; and an indication of whether the student or the student's parent or guardian appealed any aspect of the discipline decision.

3. Provide the total number of calls, notifications, or referrals made to law enforcement by any school personnel or other District personnel during the 2008-2009, 2009-2010, and 2010-2011 school years for all incidents occurring in or around a District school or educational facility. For each call, notification, or referral made during the relevant time periods, include the following information:

- a. The date each call, notification, or referral was made;
- b. The name, position, and race of the individual(s) who called, notified, or referred the incident to law enforcement and the name, position, and race of any individual who instructed someone else to call or notify law enforcement;
- c. The name, race, school attended, and grade level of each student involved and the role of each student in the incident;
- d. A description of the offense(s), infraction(s), or behavior(s) for which law enforcement was called or notified and a list of all criminal charges filed as a result of the incident;

e. The actions taken by law enforcement as a result of each incident, including removal of students from school grounds, arrest of students, charging any student with a criminal offense, or detaining any student; and

f. Disciplinary actions taken by the District, including in-school or out-of-school suspension, placement in an alternative school or alternative education program, or expulsion as a result of the incident. Include the length of any suspensions, alternative placements, or expulsions. For each alternative placement, include the name of the alternative school or alternative education program.

4. Describe any system, program, or service utilized by the District or by any school in the District during the 2008-2009, 2009-2010, and 2010-2011 school years to monitor and analyze student discipline, including incidents of student misconduct, office disciplinary referrals, law enforcement referrals, disciplinary consequences administered, and other student discipline data. Include the name of the system, program, or service; the identity of the individual and District position responsible for maintaining such system, program, or service; the identity of all individuals and District positions with access to the system, program, or service; the process by which information is inputted to the system, program, or service; the reporting schedule for any data that must be reported to an outside entity from the system, program, or service; and a description of all data fields utilized in the system, program, or service, including all searchable data fields.

5. Describe all District policies and procedures related to student discipline implemented in the District since the 2008-2009 school year. Include a description of all edits, revisions, modifications, adjustments, and changes made to the policies and procedures since 2008-2009 and the reasons for each edit, revision, modification, adjustment, or change made.

6. Describe all discussions (formal and informal) and meetings – held during the 2008-2009, 2009-2010, and 2010-2011 school years – between members of the Meridian Board of Education and District personnel regarding the District's student discipline policies, practices, or procedures, including the District's enforcement of such policies, practices, and procedures.

7. Describe all trainings conducted or provided by or for school or District personnel regarding student discipline during the 2008-2009, 2009-2010, and 2010-2011 school years. Include for each such training the date the training was conducted, the title of the training, the length of each training, the identity of the individual(s) or entity that conducted the training, and the name and position of all individuals in attendance at each training.

8. Provide the total number of students and percentage – by race, school, grade level, and sex – who were punished, observed, cited, referred to the office, or verbally warned for misbehavior or a disciplinary offense or infraction but not suspended in school or out of school, expelled, or placed in any alternative school or alternative school program for the misbehavior, offense, or infraction during the 2008-2009, 2009-2010, and 2010-2011 school years.

9. Describe all District policies and procedures implemented since the 2008-2009 school year regarding the referral of District students to law enforcement.

10. Describe all lists maintained by the District or by any school within the District during the 2008-2009, 2009-2010, 2010-2011 school years of students who previously have been arrested, e.g., lists of students on probation. Include for each such list the identity of the individual and position that maintains the list; the individuals, positions, or entities that receive the list; the frequency with which the list is updated; and the manner in which the list is

distributed. In each school, describe where the list is located and identify all individuals and positions that have access to the list.

11. Describe all communications, memoranda of understanding, contracts, or other documents created or made during the 2008-2009, 2009-2010, 2010-2011 school years regarding the referral of students to law enforcement from District schools, educational facilities, or other District property.

12. Provide the name, race, and assigned school of all security guards or school resource officers who work or have worked in the District from the 2008-2009 school year to the present whether by virtue of a contractual agreement or as a salaried employee. For each individual listed, include the length of time he or she worked as a security guard or resource officer, and for those individuals listed who no longer work in the District as a security guard or resource officer, include all of the reasons they no longer work in the District.

13. Describe all complaints, written and verbal, received by the District during the 2008-2009, 2009-2010, and 2010-2011 school years regarding the District's student discipline policies, procedures, or practices. Include the identity of the complainant(s), the date the complaint was received, and a description of any District action taken in response to the complaint.

14. Provide the total number and percentage of all District employees, by name, race, assigned location, and position who worked in District schools, educational facilities, and the central administrative office during the 2008-2009, 2009-2010, and 2010-2011 school years. Include (but not limited to) all full-time teachers, part-time teachers, principals, associate principals, assistant principals, counselors, and central office administrators and staff.

15. Identify all District employees – including but not limited to Charles Kent, M.D. Cameron, Barbara Kidd, and Vicky Hood – whom the District disciplined, suspended, non-renewed, or terminated during the 2008-2009, 2009-2010, and 2010-2011 school years. For each such employee, describe all reasons for the discipline, suspension, non-renewal, or termination; identify all employees involved in the District's decision to impose the discipline, suspension, non-renewal or termination; and identify all documents regarding the District's decision.

16. Describe all discussions (formal and informal) and meetings – held during the 2008-2009, 2009-2010, and 2010-2011 school years – between members of the Meridian Board of Education and central office administrators and staff regarding the termination, non-renewal, layoff, or reduction of District employees or positions. Include for each discussion and meeting, the date of the discussion or meeting, the identity of the individuals present for the discussion or meeting, and the reason given for the termination, non-renewal, layoff, or reduction.

17. Describe all complaints, written and verbal, received by the District during the 2008-2009, 2009-2010, and 2010-2011 school years regarding any District employee. Include the identity of the complainant(s), the date the complaint was received, the identity and position of the individual(s) named in the complaint, and a description of any District action taken in response to the complaint.

18. With respect to Document Request #3 in the United States' First Set of Document Requests, for each form provided, include the range of dates the form was utilized in the District, the purpose of the form, and the process for using the form, *i.e.*, the individual or position responsible for completing the form, the individual or position responsible for receiving

the form, and any process for recording the form or the information contained therein for future reference and data analysis.

19. With respect to Document Request #6 in the United States' First Set of Document Requests, include for each training, the date the training was conducted, the identity of the individual(s) or entity that conducted the training, the title of the training, and the name and position of all individuals in attendance at each training.

20. With respect to Document Request #8 in the United States' First Set of Document Requests, for each document and communication provided regarding law enforcement notification, contact, or summons during the 2008-2009, 2009-2010, 2010-2011 school years, include the date of each document and communication; the name, position, and race of all District employees with knowledge of the events surrounding each incident; and the name, race, school attended and grade level (at the time of the incident) of all students involved in each incident.

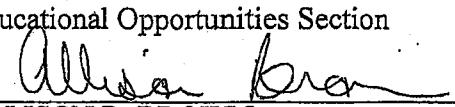
21. Identify each current member of the Meridian Board of Education. Include for each member their race, official start date, and term length.

22. For each of the above interrogatories and for each document request, identify all individuals who were contacted to provide responsive information and all individuals who provided responsive information. Include each person's name, title, and address.

Dated: February 7, 2011

United States Department of Justice  
Civil Rights Division  
Educational Opportunities Section

By:

  
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